IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.21104-M of 2007
Date of Decision:- 24.05.2007

Raj Kumar ....Petitioner(s)

through
Mr.R.S.Ahuja, Advocate

vs.

State of Haryana & anr. ....Respondent(s)

through
Mr.Tarun Aggarwal, Sr.DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

Reply filed on behalf of the respondents is taken on record.

The petitioner, who is a convict under the NDPS Act, has been denied parole for house repairs vide order dated 19.1.2007 (Annexure P-1) on the ground that as per the report of the District Magistrate, the petitioner may abscond if released on parole.

It is not disputed by the respondents that the petitioner has never been released on parole so far.

Contrary to it, the District Magistrate, Fatehabad in his report dated 12.12.2006 (Annexure R/T-I) has noticed that "convict is 22 years of age, general condition and behaviour in jail is good." There appears to be no denial to the fact that the petitioner's house is in dilapidated condition and requires urgent repairs.

The unfounded apprehension expressed by the authorities can

be suitably redressed by taking more than one remedial measures. The petitioner can be asked not only to furnish his own heavy personal bonds but also of the two sureties who shall be respectables of the village. He can also be asked to report to the police station concerned intermittently at least once in a week.

For the reasons afore-stated, it is apparent that the petitioner's case requires reconsideration. The respondents are accordingly directed to reconsider the petitioner's case, in accordance with law and pass an appropriate order, within a period of two months from the date of receipt of certified copy of this order.

Disposed of.

May 24, 2007 **(SURYA KANT)**
poonam **JUDGE**